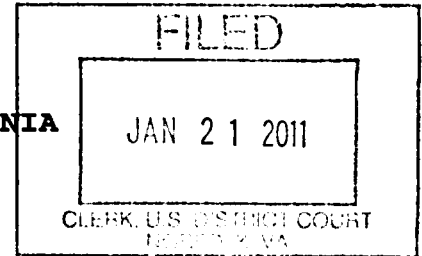


**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**



PFIZER INC., et al.,

Plaintiffs,

v.

Case No.: 2:10cv128

TEVA PHARMACEUTICALS USA, INC.,

Defendant.

ORDER

On January 21, 2011, the Court held a hearing on Plaintiffs' Motion to Compel (ECF No. 68), which had been filed on December 22, 2010 by plaintiffs Pfizer Inc., Pfizer Limited, and Pfizer Ireland Pharmaceuticals (collectively, "Pfizer"). At that hearing, Conrad Shumadine, Esq., and Soumitra Deka, Esq., appeared on behalf of the plaintiffs, and Gregory Stillman, Esq., appeared on behalf of the defendant, Teva Pharmaceuticals USA, Inc. ("Teva USA"). The official court reporter was Gloria Smith.

For the reasons stated on the record, the motion is DENIED. The Court further FINDS that the motion was substantially justified, and the Court therefore DIRECTS that each party shall bear its own expenses incurred in making or opposing the motion. See Fed. R. Civ. P. 37(a)(5)(B).

Finally, at the joint request of the parties for the assistance of the Court in facilitating the orderly completion of discovery in this case, the Court ORDERS as follows:

1. The parties shall complete the production of all documents responsive to current Rule 34 requests for production no later than 5:00 p.m. (Eastern Time) on February 4, 2011, subject to any properly served objections.

2. The parties shall meet and confer to establish an agreed upon schedule of all non-expert depositions, including both individual fact witnesses and Rule 30(b)(6) representatives. This schedule of non-expert depositions shall be submitted to the Court in the form of a joint written stipulation, to be filed on or before February 10, 2011.

3. With respect to all current Rule 34 requests for production, any motions to compel or for protective orders shall be filed on or before February 10, 2011. In the event that any such motions are filed, the movant shall immediately thereafter schedule a hearing on its motion.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

Norfolk, Virginia

January 21, 2011